CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

ENDC/249
22 May 1969
Original: ENGLISH

UNITED STATES OF AMERICA

Draft Treaty Prohibiting the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and Ocean Floor

The States Parties to this Treaty,

Recognizing the common interest of all mankind in the progress of the exploration and use of the seabed and ocean floor for peaceful purposes,

Considering that the prevention of a nuclear arms race on the seabed and ocean floor serves the interests of maintaining world peace, reduces international tensions, and strengthens friendly relations among States,

Convinced that this Treaty will further the principles and purposes of the Charter of the United Nations, in a manner consistent with the principles of international law and without infringing the freedoms of the high seas,

Have agreed as follows:

Article I

1. Each State Party to this Treaty undertakes not to emplant or emplace fixed nuclear weapons or other weapons of mass destruction or associated fixed launching platforms on, within or beneath the seabed and ocean floor beyond a narrow band, as defined in Article II of this Treaty, adjacent to the coast of any State.

2. Each State Party to the Treaty undertakes to refrain from causing, encouraging, facilitating or in any way participating in the activities prohibited by this Article.

Article II

1. For purpose of this Treaty, the outer limit of the narrow band referred to in Article I shall be measured from baselines drawn in the manner specified in Paragraph 2, hereof. The width of the narrow band shall be three (3) miles.

2. Blank (Baselines)

3. Nothing in this Treaty shall be interpreted as prejudicing the position of any State Party with respect to rights or claims which such State Party may assert, or with respect to recognition or nonrecognition of rights or claims asserted by any other State, relating to territorial or other contiguous seas or to the seabed and ocean floor.

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Article III

1. In order to promote the objectives and ensure the observance of the provisions of this Treaty, the Parties to the Treaty shall remain free to observe activities of other States on the seabed and ocean floor, without interfering with such activities or otherwise infringing rights recognized under international law including the freedoms of the high seas. In the event that such observation does not in any particular case suffice to eliminate questions regarding fulfillment of the provisions of this Treaty, Parties undertake to consult and to cooperate in endeavoring to resolve the questions.

2. At the review conference provided for in Article V, consideration shall be given to whether any additional rights or procedures of verification should be established by amendment to this Treaty.

Article IV

Any State Party to the Treaty may propose amendments to this Treaty. Amendments shall enter into force for each State Party to the Treaty accepting the amendments upon their acceptance by a majority of the State Parties to the Treaty and thereafter for each remaining State Party on the date of acceptance by it.

Article V

Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the preamble and the provisions of the Treaty are being realized. Such review shall take into account any relevant technological developments. The review conference shall determine in accordance with the views of a majority of those Parties attending whether and when an additional review conference shall be convened.

Article VI

Each Party shall in exercising its national sovereignty have the right to withdraw from this Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

May 22, 1969

CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

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ITALY

Additional suggestions on underground nuclear explosions, following the Italian working paper (ENDC/234) of August 1968

(1) On August 23, 1968 the Italian Government submitted to the Eighteen Nations Committee on Disarmament some suggestions with a view to achieving partial progress in the field of the suspension of underground nuclear tests.

(2) Under Para. 3 (a) of the mentioned working paper it was suggested that "Governments responsible for underground nuclear explosions should act in a different manner according to whether nuclear explosions for peaceful or for military purposes are concerned. The former, before being carried out, should be announced to the United Nations with all the necessary details". Taking into account different opinions expressed on this subject, and also some important events that have since taken place - namely the approval by the United Nations General Assembly of the Non-Proliferation Treaty - it is now suggested that the notification envisaged in the aforementioned para. 3 (a) should, instead, be made to the International Service for nuclear peaceful explosions to be set up within the framework of IAEA (General Assembly Resolution 2456-C XXIII).

(3) Para. 3 (c) of the Italian working paper of August 1968 suggested that "Non-nuclear Governments, in their turn, should submit a list of experts to the Governments of the States where the nuclear explosions are to take place". In accordance with the suggestions set forth in Para. 2 hereof, it is further suggested that the proposed list of experts should be submitted instead to the IAEA.

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CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

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CANADA

Working paper on the Comprehensive Test Ban

Among many others, the Canadian Delegation believes that the problems of verifying a Comprehensive Test Ban would decrease even though they may not be entirely resolved, if guaranteed access to original seismological data could be assured within the framework of an organized and effective world-wide seismological data exchange. The Canadian Delegation also thinks that a practical method of achieving such an exchange would be through an increase and intensification of the international co-operation which already exists in this field.

2. To this end but before attempting to find an acceptable economic, technical means by which all parties would make seismological information freely available, two essential points need clarifying: what seismic information would governments make available and in what form? In this connexion the Canadian Delegation suggested at the 404th meeting of the ENDC on April 17 that countries be invited to send a list of the seismographic stations from which they would be ready to supply records on the basis of guaranteed availability of data in the framework of a world-wide exchange of seismic data and provide certain details concerning these stations. The suggested form of such a request from the ENDC is set out below. The Canadian Delegation is presenting this suggestion now in the hope that agreement to it can be speedily reached without prejudice to any other proposals under consideration by ENDC and the request sent out as soon as possible.

REQUEST FROM THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT TO THE GOVERNMENT OF ..... CONCERNING THE PROVISION OF CERTAIN INFORMATION IN THE CONTEXT OF THE CREATION OF A WORLD-WIDE EXCHANGE OF SEISMOLOGICAL DATA WHICH WOULD FACILITATE THE ACHIEVEMENT OF A COMPREHENSIVE TEST BAN

In order to assist in clarifying what resources would be available for the eventual establishment of an effective world-wide exchange of seismological information which would facilitate the achievement of a Comprehensive Test Ban, the Eighteen-Nation Committee on Disarmament requests the Government of ..... to supply to the Secretary-General of the United Nations for transmission to the ENDC a list of all its

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seismic stations from which it would be prepared to supply records on the basis of guaranteed availability, and to provide certain information about each station as set out below:

(a) Photographic recording seismograph stations

(i) Name of station

(ii) Co-ordinates of station

(iii) Instrumentation and components recorded. (This should include operational magnification at one second periods for short period and broad band seismographs and at 15 or 20 seconds for long period instruments.)

The Government of ..... is also requested to indicate whether full operational magnification curves in absolute units with fully annotated records would be provided, as only through provision of this information can the maximum usefulness of an international exchange of seismological data be guaranteed. It would also be useful to know the time window within which the Government of ..... would be prepared to supply original records or good quality microfilm, and if the latter, whether the microfilm would be 16.35 of 70 millimetre film.

(b) Tape recording seismograph stations (including arrays)

(i) Name of station

(ii) Co-ordinates of station

(iii) A general account of the instrumentation geometry of the array

(iv) Components recorded on magnetic tape and magnetic tape specifications. (This would include the operational magnifications at one second for short period instrumentation and at 15 or 20 seconds for long period instruments)

As under (a) above, in the interests of obtaining maximum usefulness from an international exchange of data, the Government of ..... is requested to indicate whether it would provide full operational curves for band-pass and time code recorded on tape. It would also be useful if the Government of ..... could indicate how long the original tape can be made available before the tapes are erased and re-used.

In view of the urgency in making progress in the direction of a solution for a Comprehensive Test Ban the ENDC would greatly appreciate it if the information requested above could be forwarded to the Secretary-General of the United Nations with the least possible delay for transmission to the ENDC.

CO-CHAIRMAN OF THE ENDC

CO-CHAIRMAN OF THE ENDC

CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

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CANADA

Revised Working Paper on requests to Governments for information about exchange of seismological data

In an earlier version of the working paper (ENDC/251 of 23 May 1969) the Canadian delegation expressed the view that the problems of verifying a Comprehensiv Test Ban would decrease even though they might not be entirely resolved, if guarante access to original seismological data could be assured. This proposition was a response to UNGA Resolution 2455 (XXIII) which in its preamble took into account "th existing possibilities of establishing, through international cooperation, a volunta exchange of seismic data so as to create a better scientific basis for a national evaluation of seismic events", and in Article 3 expressed "the hope that States will contribute to an effective international exchange of seismic data".

2. As a first step in defining a practical method for achieving such an exchange the Canadian Delegation suggested that two essential points should be clarified: what seismic information would Governments make available, and in what form. The Canadian working paper contained a draft request specifying the details which might be sought from all countries in order to obtain this basic information.

3. At an informal meeting of the ENDC on 13 August, various delegations offered suggestions regarding the procedures proposed by Canada and the specific wording of any requests to Governments for information. On the basis of these suggestions a the discussion during the informal meeting, the Canadian delegation has now amended the draft formulation for the requests to Governments.

4. To the Canadian delegation it would appear essential that the ENDC include in i recommendations to the next General Assembly of the United Nations, a proposal that clarification be sought from Governments as to what seismological information they are prepared to make available. Without attempting to suggest definitive wording fo any UNGA Resolution on this subject, the Canadian delegation considers that a reques from the Secretary-General for this purpose might be based on the following wording:

REQUEST FROM THE SECRETARY-GENERAL OF THE UNITED NATIONS TO THE GOVERNMENT OF ..... CONCERNING THE PROVISION OF CERTAIN INFORMATION IN THE CONTEXT OF THE CREATION OF A WORLD-WIDE EXCHANGE OF SEISMOLOGICAL DATA WHICH WOULD FACILITATE THE ACHIEVEMENT OF A COMPREHENSIVE TEST BAN

In order to assist in clarifying what resources would be available for the eventual establishment of an effective world-wide exchange of seismological information which would facilitate the achievement of a Comprehensive Test Ban, the Secretary-General of the United Nations requests the Government of ..... to supply to him for transmission to the Eighteen-Nation Committee on Disarmament a list of all its seismic stations from which it would be prepared to supply records on the basis of guaranteed availability and to provide certain information about each station as set out below:

A. Conventional Seismograph Stations

(i) Name of Station and name and address of the operating organization

(ii) Co-ordinates of station including elevation

(iii) Instrumentation and components recorded together with speed of recording. (This should include operational magnification at one second period for short period and broad bank seismographs and at 15 or 20 seconds for long period instruments. Also a complete response curve in absolute units should be provided).

The Government of ..... is also requested to give information on the geological description of the station foundation and indicate if fully annotated records will be provided, including the precision of the time. It would also be useful to know the time window within which the Government of ..... would be prepared to supply original records or good quality copies, and if the latter, the form of the copies (for example 16, 35 or 70 millimetre film, Xerox copies, etc.). It would be useful if it could be indicated whether the intention is to deposit copies of all records in a seismological centre which makes its data available to everyone, or whether the Government of ..... wishes to guarantee the data only on a bilateral demand.

B. Array Stations

(i) Name of station and the name and address of the operating organization

(ii) Co-ordinates of station and array points, including elevation

(iii) A general account of the instrumentation geometry of the array

(iv) Instrumentation and components recorded, including magnetic tape specifications. (This should include the operational magnification

at one second period for short period or broad band instrumentation and at 15 or 20 seconds for long period instruments. A response curve in absolute units should be provided for each instrument).

(v) A list of components which record on a parallel visual basis.

As under A above, in the interest of obtaining maximum usefulness from an international exchange of data, the Government of ..... is requested to give information on the geological foundation of the array stations, together with complete technical information on the recording medium, the precision of time keeping, etc. It would also be useful to know the time window within which the Government of ..... would be prepared to supply the original records, or as applicable, photographic copy, magnetic tape copy, or good quality microfilm. In the event that the Government of ..... does not envisage depositing copies of all array data automatically in a seismological centre which makes its data available to everyone, it would be useful if the Government of ..... could indicate how long an original magnetic tape recording could be made available for individual demands before the tapes are erased and re-used.

In view of the urgency in making progress in the direction of a solution for a Comprehensive Test Ban, the Secretary-General would greatly appreciate it if the information requested above could be forwarded to him with the least possible delay for transmission to the ENDC.